

Waco



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: E-OIR Measurements, Inc.

File: B-270110

Date: November 21, 1995

DECISION

E-OIR Measurements, Inc. protests the award of a contract to Fibertek, Inc., under solicitation No. DAAB07-95-R-H602.

The protest is dismissed because the agency is terminating the awardee's contract and reopening discussions with the competitive range offerors.

The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.-Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

When an agency terminates an awardee's contract and reopens discussions, the agency action renders the instant protest academic. Since it is not our practice to consider academic questions, see East West Research Inc.-Recon., B-233623.2, Apr. 14, 1989, 89-1 CPD ¶ 379, the protest is dismissed.

Comptroller General
of the United States

2-15-96 [Signature]

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